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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,710	10/31/2003	Brian R. Geisel	5983-000008	1566

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EXAMINER

BASIT, ABDUL

ART UNIT	PAPER NUMBER
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3694

MAIL DATE	DELIVERY MODE
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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/698,710

Applicant(s)

GEISEL ET AL.

Examiner

Abdul Basit

Art Unit

3694

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4, 7-8, 10-12, 21-23, and 25-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Vicknair (US Pub. No. 2003/0208421).

Regarding claim 1:

Vicknair teaches an image-enabled, financial transaction processing system for use at a point of presentment, comprising:

- An input receptive of an image of a physical item at least partially embodying a financial transaction, wherein the image contains a visual record of an amount of monetary value; (see ¶ 29-47).
- An image recognition module adapted to extract the amount of monetary value recorded in the image and recognize the amount using character recognition; a validation module adapted to determine whether the transaction is valid based on a validation characteristic of an item; (see ¶ 29-47).
- A balancing module adapted to determine whether the transaction is balanced based on the amount of monetary value; (see ¶ 29-47) and

- An output adapted to transmit information indicating whether the transaction is at least one of balanced and valid. (see ¶ 29-47).

Regarding claim 2:

Vicknair teaches that the system of claim 1, the input is receptive information in a non-image format that includes said validation characteristic. (see ¶ 29-47).

Regarding claim 3:

Vicknair teaches that the system of claim 1, the validation characteristic is visually recorded in the image, and said image recognition module is adapted to extract the validation characteristic recorded in the image. (see ¶ 29-47).

Regarding claim 4:

Vicknair teaches that the system of claim 3, the validation characteristic corresponds to at least one of a routing number and an account number, and said image recognition module is adapted to recognize the validation characteristic using character recognition. (see ¶ 29-47).

Regarding claim 8:

Vicknair teaches that the system of claim 1, the input is receptive of multiple images of multiple physical items embodying the transaction, wherein one image is of an item representative of the transaction as a whole, and said balancing module is adapted to compare totals of amounts extracted from image of items to totals of amounts visually recorded in the image of the item representative of the transaction as a whole. (see ¶ 29-47).

Regarding claim 10:

Art Unit: 3694

Vicknair teaches that the output is adapted to transmit an electronic version of the transaction including the images. (see ¶ 29-47).

Regarding claim 12:

Vicknair teaches that the image-enabled item processing method for use in performing a financial transaction at a point of presentment, comprising:

- Initiating communication with a party to a transaction at a point of presentment of physical items embodying the transaction, wherein at least one physical item has an amount of monetary value visually recorded thereon; (see ¶ 29-47).
- Reading item images into computer memory by generating an image record of each of the physical items and storing the image records in computer memory; validating the transaction by comparing a validation characteristic of at least one item to a validation characteristic stored in computer memory; (see ¶ 29-47).
- Recognizing at least one amount of monetary value recorded on the items by extracting amounts from the item images and recognizing extracted amounts; balancing the transaction based on at least one recognized amount before terminating communication with the customer at the point of presentment; (see ¶ 29-47) and
- Posting the transaction, including transmitting the item images to a central location having a relational database storing records of transactions. (see ¶ 29-47).

Regarding claim 22:

Art Unit: 3694

Vicknair teaches that the method of claim 12, further comprising employing centralized business rules specifying validation and recognition procedures that are promulgated by a user from a central location to remote locations affording points of presentment. (see ¶ 29-47).

Regarding claim 23:

Vicknair teaches that the method of claim 12, wherein said step of validating the transaction includes comparing a code line of an item to a plurality of code lines of financial institutions prior to said balancing the transaction. (see ¶ 29-47).

Regarding claim 25:

Vicknair teaches that the method of claim 12, further comprising:

- Attempting to recognize a party to the transaction identity and a total transaction amount based on an image of a deposit slip of the transaction; attempting to recognize check amounts based on images of checks of the transaction, wherein at least one attempt is governed at least in part by a code line of an associated check; (see ¶ 29-47).
- Partially filling an electronic form representing the transaction based on successful recognition attempts; (see ¶ 29-47) and
- Completely filling the electronic form based on input from at least one of the party to the transaction and a teller at the point of presentment in communication with the party to the transaction. (see ¶ 29-47).

Regarding claim 26:

Vicknair teaches that the method of claim 25, further comprising prompting at least one

of the party to the transaction and the teller at the point of presentment for input in the case of a failed recognition attempt. (see ¶ 29-47).

Regarding claim 27:

Vicknair teaches that the method of claim 25, further comprising:

- Making a comparison between a total amount of the electronic form and a summation of transaction item amounts present in the electronic form; (see ¶ 29-47) and
- Informing at least one of the party to the transaction and the teller at the point of presentment of results of the comparison. (see ¶ 29-47).

Regarding claim 28:

Vicknair teaches that the method of claim 25, wherein said step of posting the transaction includes storing the item images in computer memory in association with the electronic form. (see ¶ 29-47).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 6 rejected under 35 U.S.C. 103(a) as being unpatentable over Vicknair in view of Josephson (US Pub. No. 2003/0213841).

Josephson, not Vicknair, teaches a validation characteristic corresponds to a digital watermark. (see ¶ 47).

Art Unit: 3694

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Vicknair with Josephson. Motivation to modify exists, because using a digital watermark helps to prevent fraud. (*see Josephson, ¶ 15*).

5. Claims 7, 9, and 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vicknair in view of Franklin (US Pat. No. 5,987,437).

Regarding claim 7:

Franklin, not Vicknair, further teaches that the input are further receptive of an electronic substitute cash ticket. (*see column 2 generally*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Vicknair with Franklin. Motivation to modify exists because this helps to reduce the amount of time to identify and correct a transaction (*see Franklin, column 2, lines 1-11*).

Regarding claim 9:

Franklin, not Vicknair teaches that the balancing module is adapted to generate an electronic version of the transaction, said output is adapted to transmit the electronic version, said input is receptive of supplemental information assistive in at least one of balancing and validating the transaction, and said balancing module is adapted to balance the transaction based on the supplemental information. (*see column 6 generally*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Vicknair with Franklin. Motivation to modify exists because this helps to

reduce the amount of time to identify and correct a transaction (*see Franklin, column 2, lines 1-11*).

Regarding claim 13:

Franklin, not Vicknair teaches that the method of claim 12, further transaction before said balancing the transaction, comprising correcting the transaction before said balancing the transaction. (*see column 6 generally*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Vicknair with Franklin. Motivation to modify exists because this helps to reduce the amount of time to identify and correct a transaction (*see Franklin, column 2, lines 1-11*).

Regarding claim 14:

Franklin, not Vicknair teaches that the method of claim 13, wherein said step of correcting the transaction includes correcting misrecognition of an item detail stored computer memory. (*see column 6 generally*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Vicknair with Franklin. Motivation to modify exists because this helps to reduce the amount of time to identify and correct a transaction (*see Franklin, column 2, lines 1-11*).

Regarding claim 15:

Franklin, not Vicknair teaches that the method of claim 13, wherein step of correcting the transaction includes:

Art Unit: 3694

- Communicating a need for alteration of an item to the party to the reading an altered item image into computer memory; (*see column 6 generally*) and
- Reflecting alteration of the item in the transaction. (*see column 6 generally*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Vicknair with Franklin. Motivation to modify exists because this helps to reduce the amount of time to identify and correct a transaction (*see Franklin, column 2, lines 1-11*).

Regarding claim 16:

Franklin, not Vicknair teaches that the method of claim 13, wherein said step of correcting the transaction includes:

- Communicating need for removal of an item to the party to the transaction; (*see column 6 generally*) and
- Removing the item from the transaction. (*see column 6 generally*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Vicknair with Franklin. Motivation to modify exists because this helps to reduce the amount of time to identify and correct a transaction (*see Franklin, column 2, lines 1-11*).

Regarding claim 17:

Franklin, not Vicknair teaches that the method of claim 13, wherein said step of correcting the transaction includes:

- Requesting at least one additional item from the party to the transaction; (*see column 6 generally*).

- Reading an additional item image into computer; (*see column 6 generally*) and
- Adding the additional item image to an electronic version of the transaction. (*see column 6 generally*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Vicknair with Franklin. Motivation to modify exists because this helps to reduce the amount of time to identify and correct a transaction (*see Franklin, column 2, lines 1-11*).

Regarding claim 18:

Franklin, not Vicknair teaches that the method of claim 13, wherein said step of correcting the transaction includes:

- Communicating invalidity of an item to the party to the transaction at the point of presentment; (*see column 6 generally*) and
- Removing the invalid item from the transaction. (*see column 6 generally*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Vicknair with Franklin. Motivation to modify exists because this helps to reduce the amount of time to identify and correct a transaction (*see Franklin, column 2, lines 1-11*).

Regarding claim 19:

Franklin, not Vicknair teaches that the method of claim 13, wherein said step of correcting the transaction include:

- Reading an item image into computer memory a second time; (*see column 6 generally*) and

- Replacing a first instance of the item image in computer memory with a second instance of the item image. (*see column 6 generally*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Vicknair with Franklin. Motivation to modify exists because this helps to reduce the amount of time to identify and correct a transaction (*see Franklin, column 2, lines 1-11*).

Regarding claim 20:

Franklin, not Vicknair, teaches a method of claim 12, further comprising:

- Creating a substitute cash ticket image; (*see column 2 generally*) and
- Adding the substitute cash ticket image to an electronic version of the transaction. (*see column 2 generally*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Vicknair with Franklin. Motivation to modify exists because this helps to reduce the amount of time to identify and correct a transaction (*see Franklin, column 2, lines 1-11*).

6. Claims 5, 11, 21 and 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vicknair in view of Bozeman (US Pub. No. 2004/0236688).

Regarding claim 11:

Bozeman, not Vicknair, teaches that the electronic version of the includes metadata marking the transaction as a truncated. (*see ¶ 192*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Vicknair with Bozeman. Motivation to modify exists because this using biometric data such as a signature helps to enhance security (*see Bozeman, see ¶ 20*).

Regarding claim 21:

Bozeman, not Vicknair, further comprises tagging an item image with metadata identifying the item image as truncated. (*see ¶ 192*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Vicknair with Bozeman. Motivation to modify exists because this using biometric data such as a signature helps to enhance security (*see Bozeman, see ¶ 20*).

Regarding claim 24:

Bozeman, not Vicknair, teaches that the method of claim 12, wherein said step of validating the transaction includes:

- Identifying a party to the transaction associated with a selected one of the physical items; (*see ¶ 20*).
- Extracting a signature of the party to the transaction from an item image related to the selected one of the physical items; (*see ¶ 20*) and
- Comparing the signature extracted from the item image to a signature of the party to the transaction stored in computer memory. (*see ¶ 20*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Vicknair with Bozeman. Motivation to modify exists because this using biometric data such as a signature helps to enhance security (*see Bozeman, see ¶ 20*).

Regarding claim 5:

Art Unit: 3694

Bozeman, not Vicknair, teaches that the system of claim 3, wherein the validation characteristic corresponds to a signature of a party to the transaction, the system further comprising a biometric analysis module adapted to perform a similarity alignment between the signature and a signature stored in memory. (see ¶ 20).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Vicknair with Bozeman. Motivation to modify exists because this using biometric data such as a signature helps to enhance security (see *Bozeman*, see ¶ 20).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdul Basit whose telephone number is 571 272-7246. The examiner can normally be reached on Monday - Friday, 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571 272 6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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